

**Senate File 2299 - Introduced**

SENATE FILE 2299

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 2103)

**A BILL FOR**

1 An Act relating to Iowa's operating-while-intoxicated law and  
2 license revocations, temporary restricted licenses, and  
3 ignition interlock devices.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321J.2, subsection 3, paragraph d, Code  
2 2014, is amended by striking the paragraph.

3 Sec. 2. Section 321J.2, subsection 4, paragraph c, Code  
4 2014, is amended by striking the paragraph.

5 Sec. 3. Section 321J.2, subsection 5, paragraph c, Code  
6 2014, is amended by striking the paragraph.

7 Sec. 4. Section 321J.4, Code 2014, is amended by striking  
8 the section and inserting in lieu thereof the following:

9 **321J.4 Revocation of license — ignition interlock devices —**  
10 **conditional temporary restricted license.**

11 1. *Revocation.* If a defendant is convicted of a violation  
12 of section 321J.2, the defendant's driver's license or  
13 nonresident operating privileges shall be revoked as follows:

14 a. *First offense.* If the defendant has had no previous  
15 conviction or revocation under this chapter and the defendant's  
16 driver's license or nonresident operating privilege has not  
17 been revoked under section 321J.9 or 321J.12 for the occurrence  
18 from which the arrest arose, the department shall revoke the  
19 defendant's driver's license or nonresident operating privilege  
20 for the following periods of time:

21 (1) Test result. One hundred eighty days if the defendant  
22 submitted to chemical testing.

23 (2) Refusal to submit. One year if the defendant refused  
24 to submit to chemical testing.

25 b. *Second offense.* If the defendant has had a previous  
26 conviction or revocation under this chapter and the defendant's  
27 driver's license or nonresident operating privilege has not  
28 been revoked under section 321J.9 or 321J.12 for the occurrence  
29 from which the arrest arose, the department shall revoke the  
30 defendant's driver's license or nonresident operating privilege  
31 for the following periods of time:

32 (1) Test result. One year if the defendant submitted to  
33 chemical testing.

34 (2) Refusal to submit. Two years if the defendant refused  
35 to submit to chemical testing.

1     *c. Third or subsequent offense.* Upon a plea or verdict  
2 of guilty of a third or subsequent violation of section  
3 321J.2, the department shall revoke the defendant's driver's  
4 license or nonresident operating privilege for a period of six  
5 years. The defendant shall not be eligible for a temporary  
6 restricted license for one year after the effective date of the  
7 revocation.

8     *d. Offense involving personal injury.* Upon a plea or  
9 verdict of guilty of a violation of section 321J.2 which  
10 involved a personal injury, the court shall determine in open  
11 court, from consideration of the information in the file and  
12 any other evidence the parties may submit, whether a serious  
13 injury was sustained by any person other than the defendant  
14 and, if so, whether the defendant's conduct in violation of  
15 section 321J.2 caused the serious injury. If the court so  
16 determines, the court shall order the department to revoke the  
17 defendant's driver's license or nonresident operating privilege  
18 for a period of one year in addition to any other period of  
19 suspension or revocation. The defendant shall surrender to the  
20 court any Iowa license or permit and the court shall forward it  
21 to the department with a copy of the order for revocation.

22     *e. Offense involving a death.* Upon a plea or verdict of  
23 guilty of a violation of section 321J.2 which involved a death,  
24 the court shall determine in open court, from consideration of  
25 the information in the file and any other evidence the parties  
26 may submit, whether a death occurred and, if so, whether the  
27 defendant's conduct in violation of section 321J.2 caused the  
28 death. If the court so determines, the court shall order  
29 the department to revoke the defendant's driver's license or  
30 nonresident operating privilege for a period of six years. The  
31 defendant shall not be eligible for any temporary restricted  
32 license for at least two years after the revocation. The  
33 defendant shall surrender to the court any Iowa license or  
34 permit and the court shall forward it to the department with a  
35 copy of the order for revocation.

1     2. *Revocation or denial period.* If a license or permit  
2 to operate a motor vehicle is revoked or denied under this  
3 section or section 321J.9 or 321J.12, the period of revocation  
4 or denial shall be the period provided for such a revocation  
5 or until the defendant reaches the age of eighteen whichever  
6 period is longer.

7     3. *Ignition interlock device.*

8     a. Upon a conviction for or as a condition of a deferred  
9 judgment for a violation of section 321J.2, the court may  
10 order the defendant to install ignition interlock devices  
11 of a type approved by the commissioner of public safety on  
12 all motor vehicles owned or operated by the defendant which,  
13 without tampering or the intervention of another person, would  
14 prevent the defendant from operating the motor vehicle with an  
15 alcohol concentration greater than a level set by rule of the  
16 commissioner of public safety.

17     b. The commissioner of public safety shall adopt rules to  
18 approve certain ignition interlock devices and the means of  
19 installation of the devices, and shall establish the level of  
20 alcohol concentration beyond which an ignition interlock device  
21 will not allow operation of the motor vehicle in which it is  
22 installed.

23     c. The order to install ignition interlock devices shall  
24 remain in effect for a period of time as determined by the  
25 court which shall not exceed the maximum term of imprisonment  
26 which the court could have imposed according to the nature of  
27 the violation. While the order is in effect, the defendant  
28 shall not operate a motor vehicle which does not have an  
29 approved ignition interlock device installed. This may be in  
30 addition to any period of time the defendant is required to  
31 install and maintain an approved ignition interlock device  
32 under section 321J.17 or 321J.20.

33     d. If the defendant's driver's license or nonresident  
34 operating privilege has been revoked, the department shall not  
35 issue a temporary permit or a driver's license to the person

1 without certification that approved ignition interlock devices  
2 have been installed in all motor vehicles owned or operated by  
3 the defendant while the order is in effect.

4 e. A defendant who fails within a reasonable time to comply  
5 with an order to install an approved ignition interlock device  
6 may be declared in contempt of court and punished accordingly.

7 f. A person who tampers with or circumvents an ignition  
8 interlock device installed under a court order while an order  
9 is in effect commits a serious misdemeanor.

10 Sec. 5. Section 321J.9, subsection 1, paragraphs a and b,  
11 Code 2014, are amended to read as follows:

12 a. First offense. One year if the person has no previous  
13 revocation under this chapter;~~and.~~

14 b. Second or subsequent offense. Two years if the person  
15 has had a previous revocation under this chapter.

16 Sec. 6. Section 321J.9, subsection 2, Code 2014, is amended  
17 by striking the subsection.

18 Sec. 7. Section 321J.12, subsection 1, paragraphs a and b,  
19 Code 2014, are amended to read as follows:

20 a. First offense. One hundred eighty days if the person has  
21 had no previous revocation under this chapter.

22 b. Second or subsequent offense. One year if the person has  
23 had a previous revocation under this chapter.

24 Sec. 8. Section 321J.12, subsection 2, Code 2014, is amended  
25 by striking the subsection.

26 Sec. 9. Section 321J.12, subsection 5, Code 2014, is amended  
27 to read as follows:

28 5. Upon certification, subject to penalty of perjury, by the  
29 peace officer that there existed reasonable grounds to believe  
30 that the person had been operating a motor vehicle in violation  
31 of section 321J.2A, that there existed one or more of the  
32 necessary conditions for chemical testing described in section  
33 321J.6, subsection 1, and that the person submitted to chemical  
34 testing and the test results indicated an alcohol concentration  
35 of .02 or more but less than .08, the department shall revoke

1 the person's driver's license or operating privilege for a  
2 ~~period of sixty~~ the following periods of time:

3 a. First offense. Sixty days if the person has had no  
4 previous revocation under this chapter, ~~and for a period of~~  
5 ninety.

6 b. Second or subsequent offense. Ninety days if the person  
7 has had a previous revocation under this chapter.

8 Sec. 10. Section 321J.17, subsection 1, Code 2014, is  
9 amended to read as follows:

10 1. If the department revokes a person's driver's license  
11 or nonresident operating privilege under this chapter, the  
12 department shall assess the person a civil penalty of two  
13 hundred dollars. The money collected by the department under  
14 this section shall be transmitted to the treasurer of state  
15 who shall deposit one-half of the money in the separate fund  
16 established in section 915.94 and one-half of the money in the  
17 general fund of the state. ~~A temporary restricted license~~  
18 ~~shall not be issued unless an ignition interlock device has~~  
19 ~~been installed pursuant to section 321J.4.~~ Except as provided  
20 in section 321.210B, a temporary restricted license shall  
21 not be issued or a driver's license or nonresident operating  
22 privilege reinstated until the civil penalty has been paid.  
23 A person assessed a penalty under this section may remit the  
24 civil penalty along with a processing fee of five dollars to a  
25 county treasurer authorized to issue driver's licenses under  
26 chapter 321M, or the civil penalty may be paid directly to the  
27 department.

28 Sec. 11. Section 321J.17, subsection 3, Code 2014, is  
29 amended to read as follows:

30 3. a. The department shall also require certification of  
31 installation of an ignition interlock device of a type approved  
32 by the commissioner of public safety on all motor vehicles  
33 owned or operated by any person seeking reinstatement following  
34 a ~~second or subsequent~~ revocation under section 321J.4, 321J.9,  
35 or 321J.12. The Unless a longer period of time is required by

1 statute, the requirement for the installation of an approved  
2 ignition interlock device shall be for one year from the date  
3 of reinstatement unless a longer time period is required by  
4 statute. The one-year period a person is required to maintain  
5 an ignition interlock device under this subsection shall be  
6 reduced by any period of time the person held a valid temporary  
7 restricted license during the revocation for the occurrence  
8 from which the arrest arose. The person shall not operate any  
9 motor vehicle which is not equipped with an approved ignition  
10 interlock device during the period in which an ignition  
11 interlock device must be maintained, and the department  
12 shall not grant reinstatement unless the person certifies  
13 installation of an ignition interlock device as required in  
14 this subsection. the following periods of time:

15 (1) First offense. At least six months from the date of  
16 reinstatement if the person has had no previous revocation  
17 under this chapter.

18 (2) Second or subsequent offense. At least one year from  
19 the date of reinstatement if the person has had a previous  
20 revocation under this chapter.

21 (3) Offense involving a death. At least one year from the  
22 date of reinstatement if the person is seeking reinstatement  
23 following a revocation under section 321J.4, subsection 1,  
24 paragraph "e", for an offense involving a death, regardless of  
25 whether the person has had a previous revocation under this  
26 chapter.

27 b. The period a person is required to maintain an ignition  
28 interlock device under this subsection shall be reduced by any  
29 period of time the person held a valid temporary restricted  
30 license during the revocation for the occurrence from which  
31 the arrest arose, subject to any additional time required  
32 pursuant to subsection 4. The person shall not operate any  
33 motor vehicle which is not equipped with an approved ignition  
34 interlock device during the period in which an ignition  
35 interlock device must be maintained, and the department

1 shall not grant reinstatement unless the person certifies  
2 installation of an ignition interlock device as required in  
3 this subsection.

4 Sec. 12. Section 321J.17, Code 2014, is amended by adding  
5 the following new subsection:

6 NEW SUBSECTION. 4. *a.* The department shall adopt rules  
7 pursuant to chapter 17A requiring a provider of an approved  
8 ignition interlock device to submit electronic reports to the  
9 department regarding the installation, maintenance, and use  
10 of an approved ignition interlock device of a type approved  
11 by the commissioner of public safety on all motor vehicles  
12 owned or operated by the person seeking reinstatement including  
13 instances of tampering, circumvention, or removal of the  
14 ignition interlock device. The reports shall include but not  
15 be limited to results indicating that the ignition interlock  
16 device had detected a level of alcohol concentration beyond  
17 which the ignition interlock device will not allow operation of  
18 the motor vehicle in which it is installed.

19 *b.* Notwithstanding the provisions of subsection 3, a person  
20 seeking reinstatement following a revocation under section  
21 321J.4, 321J.9, or 321J.12 shall install and maintain an  
22 approved ignition interlock device of a type approved by the  
23 commissioner of public safety on all motor vehicles owned or  
24 operated by the person seeking reinstatement until the results  
25 reported to the department pursuant to paragraph "a" indicate  
26 all of the following:

27 (1) The person has adequately maintained and used any  
28 required ignition interlock device.

29 (2) For the three-month period immediately preceding the  
30 person's application to remove the ignition interlock device  
31 or to remove any ignition interlock device restriction on the  
32 person's driver's license, the person has not had an event in  
33 which the ignition interlock device detected a level of alcohol  
34 concentration beyond which the ignition interlock device would  
35 not allow the operation of the motor vehicle in which it is

1 installed.

2     *c.* The time periods in subsection 3 shall be extended  
3 indefinitely until the person completes at least a three-month  
4 period free from events in which a required ignition interlock  
5 device detected a level of alcohol concentration beyond which  
6 the ignition interlock device would not allow the operation of  
7 the motor vehicle in which it is installed.

8     Sec. 13. Section 321J.20, Code 2014, is amended to read as  
9 follows:

10     **321J.20 Temporary restricted license — ignition interlock**  
11 **devices.**

12     1. *a.* The department may, on application, issue a temporary  
13 restricted license to a person whose noncommercial driver's  
14 license is revoked under this chapter allowing the person to  
15 drive to ~~and from the person's home and specified places at~~  
16 ~~specified times which can be verified by the department and~~  
17 ~~which are required by the person's full-time or part-time~~  
18 ~~employment, continuing health care or the continuing health~~  
19 ~~care of another who is dependent upon the person, continuing~~  
20 ~~education while enrolled in an educational institution on a~~  
21 ~~part-time or full-time basis and while pursuing a course of~~  
22 ~~study leading to a diploma, degree, or other certification of~~  
23 ~~successful educational completion, substance abuse treatment,~~  
24 ~~court-ordered community service responsibilities, and~~  
25 ~~appointments with the person's parole or probation officer if~~  
26 ~~the person's driver's license has not been revoked previously~~  
27 ~~under section 321J.4, 321J.9, or 321J.12 and for any lawful~~  
28 purpose if any of the following apply:

29     (1) The person's noncommercial driver's license is revoked  
30 under section 321J.4 and ~~the minimum period of ineligibility~~  
31 ~~for issuance of a temporary restricted license has expired.~~  
32 ~~This subsection shall not apply to a revocation ordered under~~  
33 ~~section 321J.4 resulting from a plea or verdict of guilty of a~~  
34 ~~violation of section 321J.2 that involved a death except for a~~  
35 revocation under section 321J.4, subsection 1, paragraph "c"

1 or "e".

2 (2) The person's noncommercial driver's license is revoked  
3 under section 321J.9 and the person has entered a plea of  
4 guilty on a charge of a violation of section 321J.2 which  
5 arose from the same set of circumstances which resulted in  
6 the person's driver's license revocation under section 321J.9  
7 and the guilty plea is not withdrawn at the time of or after  
8 application for the temporary restricted license, and the  
9 minimum period of ineligibility for issuance of a temporary  
10 restricted license has expired.

11 (3) The person's noncommercial driver's license is revoked  
12 under section 321J.12, and the minimum period of ineligibility  
13 for issuance of a temporary restricted license has expired.

14 ~~b.~~ A temporary restricted license may be issued under this  
15 subsection if the person's noncommercial driver's license is  
16 revoked for two years under section 321J.4, subsection 2, or  
17 section 321J.9, subsection 1, paragraph "b", and the first three  
18 hundred sixty-five days of the revocation have expired.

19 ~~e.~~ b. This subsection does not apply to a person whose  
20 license was revoked under section 321J.2A or section 321J.4,  
21 subsection 4 or 6, or to a person whose license is suspended or  
22 revoked for another reason.

23 ~~d.~~ Following the applicable minimum period of ineligibility,  
24 a temporary restricted license under this subsection shall  
25 not be issued until the applicant installs an ignition  
26 interlock device of a type approved by the commissioner of  
27 public safety on all motor vehicles owned or operated by the  
28 applicant in accordance with section 321J.2, 321J.4, 321J.9,  
29 or 321J.12. Installation of an ignition interlock device  
30 under this subsection shall be required for the period of time  
31 for which the temporary restricted license is issued and for  
32 such additional period of time following reinstatement as is  
33 required under section 321J.17, subsection 3.

34 2. ~~a.~~ Notwithstanding section 321.560, the department may,  
35 on application, and upon the expiration of the minimum period

1 ~~of ineligibility for a temporary restricted license provided~~  
2 ~~for under section 321.560, 321J.4, 321J.9, or 321J.12, issue a~~  
3 temporary restricted license to a person whose noncommercial  
4 driver's license has either been revoked under this chapter, or  
5 revoked or suspended under chapter 321 solely for violations  
6 of this chapter, or who has been determined to be a habitual  
7 offender under chapter 321 based solely on violations of  
8 this chapter or on violations listed in section 321.560,  
9 subsection 1, paragraph "b", and who is not eligible for a  
10 temporary restricted license under subsection 1. However,  
11 the department may not issue a temporary restricted license  
12 under this subsection for a violation of section 321J.2A ~~or~~  
13 ~~to a person under the age of twenty-one whose license is~~  
14 ~~revoked under section 321J.4, 321J.9, or 321J.12.~~ A temporary  
15 restricted license issued under this subsection may allow the  
16 person to drive to and from the person's home and specified  
17 places at specified times which can be verified by the  
18 department and which are required by the person's full-time or  
19 part-time employment; continuing education while enrolled in an  
20 educational institution on a part-time or full-time basis and  
21 while pursuing a course of study leading to a diploma, degree,  
22 or other certification of successful educational completion;  
23 or substance abuse treatment.

24 3. The department shall not issue a temporary restricted  
25 license under this section until any applicable minimum  
26 period of ineligibility for a temporary restricted license has  
27 expired. If the applicant is under the age of twenty-one, the  
28 applicant shall not be eligible for a temporary restricted  
29 license for at least sixty days after the effective date of  
30 revocation or suspension.

31 ~~b.~~ 4. A The department shall not issue a temporary  
32 restricted license issued under this subsection shall  
33 not be issued section until the applicant installs an  
34 approved ignition interlock device of a type approved by the  
35 commissioner of public safety on all motor vehicles owned

1 or operated by the applicant. Installation of an ignition  
2 interlock device under this ~~subsection~~ section shall be  
3 required for the period of time for which the temporary  
4 restricted license is issued, and for such additional period  
5 of time following reinstatement as is required under section  
6 321J.17, ~~subsection~~ subsections 3 and 4. However, a person  
7 whose driver's license or nonresident operating privilege has  
8 been revoked under section 321J.21 may apply to the department  
9 for a temporary restricted license without the requirement of  
10 an ignition interlock device if at least twelve years have  
11 elapsed since the end of the underlying revocation period for  
12 a violation of section 321J.2.

13 ~~3.~~ 5. If a person required to install an ignition interlock  
14 device operates a motor vehicle which does not have an approved  
15 ignition interlock device or if the person tampers with or  
16 circumvents an ignition interlock device, in addition to other  
17 penalties provided, the person's temporary restricted license  
18 shall be revoked.

19 ~~4.~~ 6. A person holding a temporary restricted license  
20 issued by the department under ~~this section~~ subsection 2 shall  
21 not operate a motor vehicle for pleasure.

22 ~~5.~~ 7. A person holding a temporary restricted license  
23 issued by the department under this section shall not operate  
24 a commercial motor vehicle on a highway if a commercial  
25 driver's license is required for the person's operation of the  
26 commercial motor vehicle.

27 ~~6.~~ 8. A person holding a temporary license issued by the  
28 department under this ~~chapter~~ section shall ~~be prohibited from~~  
29 ~~operating~~ not operate a school bus.

30 ~~7.~~ 9. Notwithstanding any provision of this chapter to  
31 the contrary, the department may issue a temporary restricted  
32 license to a person otherwise eligible for a temporary  
33 restricted license under this section, whose period of  
34 revocation under this chapter has expired, but who has not met  
35 all requirements for reinstatement of the person's driver's

1 license or nonresident operating privileges.

2 ~~8-~~ 10. A person who tampers with or circumvents an ignition  
3 interlock device installed as required in this chapter and  
4 while the requirement for the ignition interlock device is in  
5 effect commits a serious misdemeanor.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with  
8 the explanation's substance by the members of the general assembly.

9 This bill relates to Iowa's operating-while-intoxicated  
10 (OWI) law and driver's license revocations, temporary  
11 restricted licenses, and ignition interlock devices.

12 DUPLICATIVE LICENSE REVOCATION PROVISIONS. The bill  
13 eliminates duplicative provisions relating to court-ordered  
14 license revocations for first, second, and third and  
15 subsequent violations of Code section 321J.2 (Iowa's OWI law).  
16 The bill maintains provisions relating to administrative  
17 license revocations currently imposed by the department of  
18 transportation pursuant to Code sections 321J.4 (license  
19 revocations based on criminal OWI offenses), 321J.9 (license  
20 revocations relating to refusals to submit to chemical  
21 testing), and 321J.12 (license revocations based on test  
22 failures).

23 INELIGIBILITY PERIODS — TEMPORARY RESTRICTED LICENSES  
24 AND IGNITION INTERLOCK DEVICES. The bill eliminates certain  
25 provisions in Code sections 321J.4 (license revocations  
26 based on criminal OWI offenses), 321J.9 (test refusals), and  
27 321J.12 (license revocations based on test result failures)  
28 that currently provide eligibility restrictions for temporary  
29 restricted licenses and the installation of ignition interlock  
30 devices, dependent upon the number of prior offenses, blood  
31 alcohol level, and whether the offense involved an accident  
32 causing personal injury or property damage. The ineligibility  
33 periods for a temporary restricted license and for installation  
34 of an ignition interlock device are maintained for third and  
35 subsequent OWI offenses and for offenses involving a death.

1 The bill makes a change to Code section 321J.4 allowing a  
2 court to increase the period of time during which a defendant  
3 must maintain an ignition interlock device on all vehicles  
4 owned or operated by the defendant in addition to any time an  
5 ignition interlock device is required for reinstatement under  
6 Code section 321J.17 or for a temporary restricted license  
7 under Code section 321J.20.

8 TEMPORARY RESTRICTED LICENSES AND IGNITION INTERLOCK DEVICES  
9 — GENERAL PROVISIONS. The bill strikes certain provisions  
10 relating to temporary restricted licenses and the installation  
11 of ignition interlock devices currently contained in Code  
12 sections 321J.4, 321J.9, and 321J.12 and consolidates these  
13 provisions into Code sections 321J.17 and 321J.20.

14 REINSTATEMENT REQUIREMENTS. Currently, Code section 321J.17  
15 contains provisions relating to reinstatement of a person's  
16 driver's license or nonresident operating privileges after  
17 revocation for any OWI offense under Code chapter 321J (based  
18 on either administrative or criminal action). The person must  
19 pay a civil penalty fine, present proof of completion of a  
20 course for drinking drivers and a substance abuse evaluation  
21 and treatment, and if applicable, present proof of financial  
22 responsibility. In addition, following a second or subsequent  
23 license revocation, a person applying for reinstatement must  
24 install a department-approved ignition interlock device on all  
25 vehicles owned or operated by the person for one year, unless a  
26 longer period of time is otherwise required.

27 The bill retains the current requirements for reinstatement,  
28 but in regard to ignition interlock devices, requires all  
29 persons (not just repeat offenders) applying for reinstatement  
30 to install an ignition interlock device on all vehicles owned  
31 or operated by the person for the following periods of time  
32 depending on the nature of the offense: for a first offense  
33 (no previous revocations), at least six months from the date  
34 of reinstatement; for a second or subsequent offense (previous  
35 revocations), at least one year from the date of reinstatement;

1 and if the offense involved a death, at least one year from the  
2 date of reinstatement regardless of whether the person has had  
3 a previous revocation.

4 The bill provides that the period of time a person is  
5 required to maintain an ignition interlock device shall be  
6 reduced by any period of time the person held a valid temporary  
7 restricted license during the revocation for the occurrence  
8 from which the arrest arose, subject to any additional time  
9 required. The person shall not operate any motor vehicle which  
10 is not equipped with an approved ignition interlock device  
11 during the period in which an ignition interlock device must be  
12 maintained, and the department shall not grant reinstatement  
13 unless the person certifies installation of an ignition  
14 interlock device.

15 The bill requires the department of transportation to adopt  
16 rules pursuant to Code chapter 17A requiring a provider of  
17 an approved ignition interlock device to submit electronic  
18 reports to the department regarding the operation of an  
19 approved ignition interlock device on all motor vehicles owned  
20 or operated by the person seeking reinstatement including  
21 instances of tampering, circumvention, or removal of the  
22 ignition interlock device. The reports shall include but not  
23 be limited to results indicating that the ignition interlock  
24 device had detected a level of alcohol concentration beyond  
25 which the ignition interlock device will not allow operation  
26 of the motor vehicle in which it is installed. A person  
27 seeking reinstatement following a license revocation is  
28 required to install and maintain an approved ignition interlock  
29 device until the results reported to the department indicate  
30 the person has adequately maintained and used any required  
31 ignition interlock device and that, for the three-month period  
32 immediately preceding the person's application to remove the  
33 ignition interlock device or to remove any ignition interlock  
34 device restriction on the person's driver's license, the person  
35 has not had an event in which the ignition interlock device

1 detected a level of alcohol concentration beyond which the  
2 ignition interlock device would not allow the operation of  
3 a motor vehicle in which it is installed. The bill further  
4 provides that the time periods for installation of an ignition  
5 interlock device shall be extended indefinitely until the  
6 person completes at least a three-month period free from events  
7 in which a required ignition interlock device detected a level  
8 of alcohol concentration beyond which the ignition interlock  
9 device would not allow the operation of a motor vehicle in  
10 which it is installed.

11 TEMPORARY RESTRICTED LICENSES. The bill amends Code section  
12 321J.20 to provide that a person whose noncommercial driver's  
13 license is revoked may receive a temporary restricted license  
14 to drive for any lawful purpose. Current law restricts the  
15 issuance of a temporary restricted license for specified  
16 reasons including employment, medical appointments, and  
17 educational purposes. Certain driving restrictions are  
18 maintained for persons whose licenses are revoked for third or  
19 subsequent OWI convictions, for offenses involving a death, and  
20 for habitual offenders.